

**Amendment No. 1 to HB0301**

**Kernell  
Signature of Sponsor**

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

**AMEND Senate Bill No. 293**

**House Bill No. 301\***

by deleting all language following the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 40, Chapter 38, is amended by adding Sections 2 through 7 of this act as a new, appropriately designated part.

SECTION 2. The general assembly finds and declares that those individuals who have reached and maintained a certain professional standard, received standard minimum training, and demonstrated competency and ethics in the delivery of crime victim services, shall be certified as a "Victim Specialist". This act shall be known and may be cited as the "Victim Specialist Certification Act". Failure to achieve this certification does not prevent an individual from working with victims.

SECTION 3. Victim Specialist Certification may be issued or withdrawn by the "Tennessee Victim Specialist Certification Committee," hereinafter referred to as "the committee." The committee's membership, appointment and duties shall be as follows:

(a) The committee shall consist of six (6) members, two (2) from each grand division of the state, who shall serve three (3) year staggered terms.

(b) Appointments to the committee shall be made by the president of the Tennessee district attorneys general conference, who shall appoint two (2) members from each grand division. Initial appointments shall be two (2) appointed for one (1) year, two (2) appointed for two (2) years and two (2) appointed for three (3) years. Thereafter, one-third of the committee will be appointed annually for three (3) year terms.

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(c) The committee shall be assisted by the statewide victim-witness coordinator with the Tennessee district attorneys general conference, and shall meet at least annually or as often as necessary, to:

- (1) Select a chair and make appointments of responsibilities within the board;
- (2) Certify Victim Specialists who meet requirements;
- (3) De-certify those who no longer meet requirements;
- (4) Promote educational opportunities and approve training programs or curriculum;
- (5) Develop and promulgate professional ethics and standards;
- (6) Promote the establishment and maintenance of ethical and quality services to victims of crime;
- (7) Approve forms, kits, and other items necessary to the certification process;
- (8) Establish minimum application fees and seek necessary grants or funding for victims programs; and
- (9) Conduct other business necessary to performing its duties.

SECTION 4. In order to grant Victim Specialist certification, the committee must determine that an applicant meets the following requirements:

- (a) Have an approved application;
- (b) Have an approved resume;
- (c) Be a citizen of Tennessee;

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- (d) Be at least twenty-one (21) years of age;
- (e) Be in compliance with professional ethics and standards;
- (f) Have no felony convictions;
- (g) Have a minimum of a high school education;
- (h) Have at least three (3) years of approved applied work experience;
- (i) Have at least five hundred (500) hours of approved work experience in crime victimization;
- (j) Have at least two (2) letters of recommendation from officials having the responsibility of delivering crime victim's services where the specialist resides or intends to practice;
- (k) Within two (2) years of application have completed at least forty (40) hours of in-service, continuing education or academic courses, ten (10) of which may be approved elective courses and thirty (30) of which must be approved in all of the following core areas:
  - (1) orientation to the criminal justice system;
  - (2) roles of criminal justice officials;
  - (3) ethics and confidentiality;
  - (4) duties and responsibilities;
  - (5) victims bill of rights and related laws;
  - (6) communication skills;
  - (7) victim interaction;
  - (8) dealing with difficult people, hostility and grief;

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(9) available resources;

(10) developing supportive collaboration with other agencies;

(11) victims compensation and other available financial assistance; and

(12) responding to community crisis.

SECTION 5. Certification by the committee shall be for a period of two (2) years, unless the committee de-certifies an individual. An individual may be re-certified by the committee every two (2) years upon application and verification of meeting the requirements of Section 4.

SECTION 6. For a period of two (2) years from this act becoming law, an individual who has a minimum of six (6) years paid or unpaid committee-approved full-time work experience in the crime victim service field may substitute that experience for the course work required in Section 4 to achieve certification.

SECTION 7. The process for becoming a certified Victim Specialist shall be as follows:

(a) The applicant shall obtain a committee approved application kit containing information, an application and other necessary forms from the statewide victim-witness coordinator. If determined by the committee, an application fee shall be paid in order to receive the application kit.

(b) Upon completion of the application kit, the applicant shall file the application and supporting documents evidencing completion of the requirements with the statewide victim-witness coordinator. If determined by the committee, a processing fee shall be paid in order to continue the process.

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(c) Upon filing of the application and payment of any fees, the statewide victim-witness coordinator shall verify that the applicant has no prior felony convictions and the applicant's educational level.

(d) Upon completion and filing of the application kit and verification of non prior felony convictions and educational level, the statewide victim-witness coordinator shall cause the application to be placed on the agenda for the next meeting of the committee. The committee shall then certify for a period of two (2) years those applicants who have, to the committee's satisfaction, met the requirements of this act, reject those who have not met said requirements or defer action for the receipt of additional information.

SECTION 8. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 9. This act shall take effect upon becoming law, the public welfare requiring it.